

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION  
AT ATHENS, GEORGIA**



**MINUTE SHEET OF SENTENCE HEARING**

Date: 10/05/2011

*Court Time for MJSTAR/JSTO:*

Judge: C. Ashley Royal

Court Reporter: Tammy Fletcher

Courtroom Deputy: Lee Anne Purvis

Interpreter:

UNITED STATES OF AMERICA

Case Number: 3:11-cr-6-1(CAR)

vs.

AUSA: Graham Thorpe

David Bishop Laist

Counsel: Page Pate

Agents/Experts in attendance: Mandy LaMotte, USPO

<b>OFFENSE LEVEL:</b>	<b>33</b>	<b>CATEGORY:</b>	<b>I</b>	<b>RANGE:</b>	<b>135-168</b>
<b>IMPRISONMENT:</b>	<b>120 mos Ct 1</b>	<b>SUPERVISED RELEASE:</b>	<b>25 yrs</b>		
<b>PROBATION:</b>	<b>120 mos Ct 2</b>				

concurrent - Total - 120 mos  
CONDITIONS

- Dft shall not possess firearms or other dangerous weapons.
- Dft to cooperate in the collection of DNA as directed by the USPO.

**SUBSTANCE ABUSE:**

- Dft shall participate in a substance abuse program approved by the USPO which may include testing to determine if dft has reverted to the use of drugs or alcohol.
- Recommend that dft participate in a residential drug treatment program.
- The required drug testing condition is suspended . The Court has determined there is low risk of future substance abuse.

**FINANCIAL:**

- Dft shall make restitution in the amount of \$ \_\_\_\_\_ to the victims in accordance with an installment plan approved by the BOP during confinement and the USPO after release.
- (Magistrate Cases Only)* Dft shall make restitution in the amount of \$ \_\_\_\_\_ to the victims as directed by the USPO.
- A mandatory assessment fee of \$ 200 is to be paid immediately.
- A fine of \$ 17,500 is to be paid in accordance with an installment plan approved by the BOP during confinement and the USPO after release, plus any interest and/or penalties that may accrue.
- A fine of \$ \_\_\_\_\_ is to be paid immediately.
- (Magistrate Cases Only)* The fine is to be paid  immediately  in installments
- Fine is waived. It is the Court's judgment that the defendant is unable and not likely to become able to pay all or part of a fine even with the use of a reasonable installment schedule. Therefore, the Court waives the fine as well as any alternative sanctions in this case.
- Costs of incarceration and or probation/supervision:  Dft to pay costs  Dft shall not pay costs
- Dft shall provide the USPO/BOP with access to any requested financial information.
- Dft is prohibited from incurring new credit charges or opening additional lines of credit without approval of the USPO.
- Dft to fully comply with Internal Revenue Service Officials with regard to any past taxes and/or penalties owed.
- Dft is permanently ineligible to receive federal benefits.
- Dft is ineligible to receive federal benefits for a period of \_\_\_\_\_

**CONFINEMENT:**

- Dft to serve \_\_\_\_\_ consecutive days in a **jail** facility as directed by the USPO.
- Dft shall reside at the **Dismas House**, Macon, GA, for a period of \_\_\_\_\_ and shall abide by Dismas House Rules at all times.
- Dft shall comply with conditions of **home confinement** a period not to exceed \_\_\_\_\_ consecutive days. During this time, dft shall remain at his place of residence at all times and shall not leave without advance permission of the USPO. Dft will maintain a telephone at his/her residence without features for "Call Forwarding", "Caller ID", or "Call Waiting"; this phone should not be portable cordless or have a modem attached to it. At the direction of the USPO, dft shall wear an electronic monitoring device, follow electronic monitoring procedures, and pay the costs of electronic monitoring as specified by the U.S. Probation Office.

**MENTAL HEALTH:**

- Dft shall participate in a **mental health program** as directed by the USPO.
- Dft shall participate in an approved program for **domestic violence**.

**SEX OFFENDER:**

- Dft shall register with the state Sex Offender Registration Agency.
- Dft shall waive confidentiality regarding sex offender treatment.
- Dft shall not associate with any person under the age of 21 without the presence of an adult over 21 and prior permission of the USPO.
- Dft shall allow a search by the USPO without a warrant as deemed necessary to ensure dft is not engaged in child molestation or viewing pornography. Failure to allow a search may result in revocation of supervised release.
- Dft shall not own, possess, or use a camera or other photographic device including a camcorder or cell phone with photographic capability without prior approval of the USPO.
- Dft shall not possess or have under control material that contains sexually explicit conduct or child pornography.
- Dft shall not own, possess, or use a computer or any device with a modem during period of supervised release without permission of the USPO.

**DEPORTATION:**

- Upon completion of the imprisonment portion of the sentence, dft shall be delivered to a duly authorized official for the Bureau of Immigration and Customs Enforcement Agency for the appropriate proceedings.
- After deportation, dft shall not re-enter the United States unless under legal means of entry.

**OTHER:**

- Dft to perform \_\_\_\_\_ hours of **community service** as directed by the USPO.
- Dft shall report to USPO within 72 hours of release from the BOP.
- Dft shall not operate a **motor vehicle** for any reason whatsoever while on probation.
- (*Magistrate Cases Only*): Dft shall attend a **driver's education/DUI school** as directed by the USPO.

**ADDITIONAL CONDITIONS:**

- Technology Access Program Restrictions
- Computers & hard drives are forfeited to the Gov't.

VOLUNTARY SURRENDER:  Yes  No

APPEAL INFORMATION GIVEN TO:  Atty  Dft

*Disclaimer: Contents of this Minute sheet are for administrative purposes ONLY and are NOT meant as a substitution for the official court record. Attorneys should contact the court reporter and order a transcript if there are any questions as to the contents herein.*